



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: December 03, 2019.**

HCatt

**H. CHRISTOPHER MOTT**  
**UNITED STATES BANKRUPTCY JUDGE**

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:

HORACIO HERNANDEZ and  
ARACELY HERNANDEZ,

Debtors.

Case No. 19-31771-hcm

## Chapter 13

**ORDER GRANTING MOTION OF ENGS COMMERCIAL FINANCE CO. FOR RELIEF  
FROM STAY AGAINST PROPERTY OF THE ESTATE**

On this day, came on to be considered the Motion of Engs Commercial Finance Co. for Relief From Stay Against Property of the Estate and Waiver of 30-Day Requirement (the "*Motion*") filed by Engs Commercial Finance Co. The Court finds that notice of the Motion and the deadline to object to the Motion was proper and sufficient, that the time to respond or object to the Motion has expired and that no responses or objections were filed. After consideration of the pleadings and based on the foregoing, the Court is of the opinion the Motion should be granted and the automatic stay should be lifted.

**IT IS THEREFORE ORDERED that:**

1. Engs Commercial Finance Co. ("*Engs*") hold a valid and perfected lien on the 2011 Freightliner Cascadia Sleeper Tractor, VIN# 1FUJGLDVXBSBB2407, including all replacements and proceeds thereof and other appurtenant property described in the Agreement defined in the Motion (collectively the "*Tractor*").

2. The automatic stay is lifted in all respects as to Engs. Engs may foreclose its lien on the Collateral including sending of any notices to the Debtors relating to the foreclosure.

3. The 14-day stay set out in Federal Rule of Bankruptcy Procedure 4001(a)(3) shall not apply to this Order and Engs may proceed with its foreclosure remedies immediately upon entry of this Order.

4. This Order shall be valid and subsisting even in the event this case is converted to another Chapter of the Bankruptcy Code.

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Submitted by:

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Parties to receive this Order upon entry:

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